

means for marking the mailpiece with the identification code that uniquely corresponds to the mailpiece on the back of the mailpiece;

means for creating the identification file uniquely corresponding to the identification code, where the identification file may be accessed from a plurality of nodes on the mailpiece sorting system; and

means for using the identification code to retrieve identification information from the corresponding identification file at any node on the mailpiece sorting system.

36. A computer usable medium having computer readable code embodied therein for identifying a mailpiece in mailpiece sorting system, the computer readable code comprising:

a marking module configured to mark the mailpiece with the identification code that uniquely corresponds to the mailpiece on the back of the mailpiece;

a creating module configured to create the identification file uniquely corresponding to the identification code, where the identification file may be accessed from a plurality of nodes on the mailpiece sorting system; and

a using module configured to use the identification code to retrieve identification information from the corresponding identification file at any node on the mailpiece sorting system.

REMARKS

In the March 29, 2002 Office Action, the Examiner rejected claims 1,7, 10-14, 17-18, 24, 27-31, and 34 -36 under 35 U.S.C. § 102(B) as anticipated by Pintsov et al., U.S. Patent No. 5,612,889. The Examiner also rejected claims 2-5, 8, 19-22, and 25

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under 35 U.S.C. § 103(a) as obvious over Pintsov et al. in view of Ulvir et al., U.S. Patent No. 5,602, 382. Furthermore, under 35 U.S.C. § 103(a), the Examiner rejected claims 6 and 23 as obvious over Pintsov et al., in view of Berson et al., U.S. Patent No. 6,039,257 and claims 9 and 26 as obvious over Pintsov et al., in view of Ulvir et al. and Berson et al.. Finally, the Examiner rejected claims 15-16 and 32-33 as obvious over Pintsov et al. in view of Allum et al., U.S. Patent No. 5,420,403.

As a preliminary matter, Applicants wish to thank the Examiner and his supervisor for participating in an interview with Applicants' representatives to discuss the Office Action.

Section 102(b) Rejections

Regarding the section 102(b) rejections of independent claims 1, 18, 35, and 36 as anticipated by Pintsov et al., Applicants respectfully traverse, since the Examiner has failed to state a *prima facie* case of anticipation. To establish a *prima facie* case of anticipation each element recited in the patent claim must be found either explicitly or impliedly, in a single prior art reference. M.P.E.P. § 706.02. Because Pintsov et al. does not recite at least several elements of independent claims 1, 18, 35, 36, that reference does not anticipate those claims and the rejections of claims 1, 18, 35, and 36 should be withdrawn.

For example, Pintsov et al. does not teach at least creating an identification file uniquely corresponding to an identification code, as recited in independent claims 1, 18, 35, and 36. Instead, the reference discloses a mailing identification file that includes addresses and identification codes for a list of multiple mailpieces. The mailing identification file of the reference correspondence to a mailer's account number. (Pintsov

et al., col. 10, ll. 19-30; Fig. 3.) This is not the same as creating an identification file uniquely corresponding to an identification code that corresponds to a mailpiece, as recited in the independent claims.

Pintsov et al. also does not disclose at least an identification file that may be accessed from a plurality of nodes on the mailpiece sorting system as recited in independent claims 1, 18, 35, and 36. Instead, the reference teaches sending a mailing identification file from a carrier data center to a mailer. (Pintsov et al., col. 10, ll. 24-25; fig. 1.) In the interview, the Examiners alleged that the arrows in Figure 1 of Pintsov et al. indicate an "open loop system" where any number of mailers and carrier data centers may communicate via the Internet. However, even if Pintov et al. were to teach a system where multiple mailers and carrier data centers communicate (which Applicants dispute), it does not disclose at least a mailpiece sorting system as claimed. Rather, the mailing identification file of Pintsov et al. is shared between a carrier data center and a mailer so that the mailer may create mailpieces before the mailpieces enter any type of sorting system. (Id.)

Furthermore, Pintsov et al. does not disclose at least an identification file that is used at a plurality of nodes in a mailpiece sorting system as recited in independent claims 1, 18, 35, and 36. Instead, the reference teaches retrieving information from an address database at a carrier data center to perform a primary and/or secondary sort of the mailpiece. (Pintsov et al., Fig. 1; fig. 9, step 922.) However, retrieving sorting information from an address database is not the same as using an identification file uniquely corresponding to an identification code at a plurality of nodes on a mailpiece sorting system, as recited in the independent claims.

For at least the reasons given above, Pintsov et al. does not disclose at least several elements of independent claims 1, 18, 35, and 36 and the rejections of these claims should therefore be withdrawn. Further, claims 7, 10-14, and 17 depend from claim 1 and claims 24, 27-31, and 34 depend from claim 18. These dependent claims cannot be anticipated by the reference at least because the reference does not disclose several elements of the underlying independent claims. Therefore, the rejections of claims 7, 10-14, 17, 24, 27-31, and 34 should be withdrawn.

Section 103(a) Rejections

The Examiner rejected claims 2-5, 8, 19-22, and 25 under 35 U.S.C. § 103(a) as obvious over Pintsov et al. in view of Ulvir et al., U.S. Patent No. 5,602, 382.

Furthermore, under 35 U.S.C. § 103(a), the Examiner rejected claims 6 and 23 as obvious over Pintsov et al., in view of Berson et al., U.S. Patent No. 6,039,257 and claims 9 and 26 as obvious over Pintsov et al., in view of Ulvir et al. and Berson et al.. Finally, the Examiner rejected claims 15-16 and 32-33 as obvious over Pintsov et al. in view of Allum et al., U.S. Patent No. 5,420,403.

To establish a *prima facie* case of obviousness, the prior art references must teach or suggest each of the claim limitations, some suggest or motivation must exist, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings, and one must have a reasonable expectation of success. M.P.E.P. §2143. The Examiner has failed to establish a *prima facie* case of obviousness at least because the cited references fail to teach or suggest all the claim elements.

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For example, the Pintsov et al. reference fails to teach at least several claim elements for the reasons given in the section above. Therefore, the references whether taken alone or combining do not teach or suggest each of the claim elements and the obviousness rejections based on this reference are improper.

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: July 24, 2002

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APPENDIX TO AMENDMENT OF July 24, 2002

Version with Markings to Show Changes Made

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Amendments to the Claims

1. (Amended) A method of identifying a mailpiece in a mailpiece sorting system, using an identification code corresponding to an identification file, comprising the steps of:

marking the mailpiece with the identification code that uniquely corresponds to the mailpiece on the back of the mailpiece;

creating the identification file uniquely corresponding to the identification code, where the identification file may be accessed from a plurality of nodes on the mailpiece sorting system; and

using the identification code to retrieve identification information from the corresponding identification file at a plurality of nodes on the mailpiece sorting system.

18. (Amended) A system for identifying a mailpiece in a mailpiece sorting system, using an identification code corresponding to an identification file, comprising:

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a marking component configured to mark the mail piece with the identification code that uniquely corresponds to the mailpiece on the back of the mailpiece;

creating component configured to create the identification file uniquely corresponding to the identification code, where the identification file may be accessed from a plurality of nodes on the mailpiece sorting system; and

a using component configured to use the identification code to retrieve identification information from the corresponding identification file at a plurality of nodes on the mailpiece sorting system.

35. A system for identifying a mailpiece in a mailpiece sorting system, using an identification code corresponding to an identification file, comprising:

means for marking the mailpiece with the identification code that uniquely corresponds to the mailpiece on the back of the mailpiece;

means for creating the identification file uniquely corresponding to the identification code, where the identification file may be accessed from a plurality of nodes on the mailpiece sorting system; and

means for using the identification code to retrieve identification information from the corresponding identification file at any node on the mailpiece sorting system.

36. A computer usable medium having computer readable code embodied therein for identifying a mailpiece in mailpiece sorting system, the computer readable code comprising:

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a marking module configured to mark the mailpiece with the identification code that uniquely corresponds to the mailpiece on the back of the mailpiece;

a creating module configured to create the identification file uniquely corresponding to the identification code, where the identification file may be accessed from a plurality of nodes on the mailpiece sorting system; and

a using module configured to use the identification code to retrieve identification information from the corresponding identification file at any node on the mailpiece sorting system.

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